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C O N F I D E N T I A L SECTION 01 OF 02 JERUSALEM 005007

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NEA FOR FRONT OFFICE; NSC FOR ABRAMS/DORAN/WATERS

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SUBJECT: CENTRAL ELECTION COMMISSION: PROSPECT OF EARLY ELECTIONS

REF: JERUSALEM 4953

Classified By: Acting Principal Officer Thomas M. Duffy, Reasons 1.4 (b) and (d).

¶1. (C) Begin Summary. In a December 20 meeting with PolChief, the Palestinian Central Elections Commission (CEC) Chief Electoral Officer Hisham Kuhail said he thinks PA President Mahmoud Abbas (Abu Mazen) is using consultations with the CEC on possible early elections to pressure Hamas and that Hamas has lashed out at the CEC in response to perceived CEC loyalty to Abu Mazen. Kuhail said early elections will require Hamas acquiescence, since if Hamas blocks the elections, the security and practical problems will be severe. He said that the CEC is developing a scenario and requirements list for possible early elections and estimates the cost of the elections would be 6-8 million USD. He said the CEC will suspend the voter registration planned for January to avoid accusations that it is other than independent. He anticipates low voter turn out in the event of early elections. In a December 19 meeting, IFES representative Richard Atwood similarly said early elections will require Hamas concurrence, but that voter turnout will likely be low.

Possible Early Elections

¶2. (C) Hisham Kuhail, the Chief Electoral Officer of the Palestinian Central Elections Commission (CEC) told PolChief in a December 20 meeting that the CEC was concerned by PA President Mahmoud Abbas' (Abu Mazen) direct, public reference to his consultations with the CEC in his December 16 speech. Kuhail said the CEC "feels used" and believes that Abu Mazen is consulting with the CEC primarily to exert political pressure on Hamas. He said Hamas is angered by what it perceives as CEC loyalty to Abu Mazen and noted that the Acting Speaker of the PLC Ahmed Bakkar had written to the CEC to complain. Noting Hamas accusations that early elections are unconstitutional, Kuhail said the CEC would not address this question. Any legal challenge by Hamas to early elections is the purview of the judiciary.

¶3. (C) Kuhail expressed concerns about the security context in which early elections take place and said he thought that elections would, in fact, be difficult with the current levels of violence. He said Abu Mazen cannot currently secure voter registration and polling sites (which are in schools), especially in Gaza. Kuhail said credible early elections will require Hamas concurrence and a national consensus on the elections. Thus far, Hamas has said publicly that it will protest early elections, but Kuhail said it is still unclear whether Hamas is "bluffing" and

intends to participate in elections.

¶4. (C) Kuhail said the CEC is proceeding on the basis that there will be early elections and is developing a scenario and general operational requirements. He noted that this preparation is being done quietly and discreetly by a few key CEC staff with experience in the last two national electoral events, and that based on these events, they estimate a 6-8 million USD cost for the elections. Noting that according to the electoral law, elections should occur within ninety days of a presidential decree calling the elections, and the voter list must be published sixty days before the elections, Kuhail described the first of the three months as the "most dangerous," since it includes five days of voter registration and a period of challenges to the voter list. He added that early elections could be impacted by a new elections law, but he suggested that the Hamas-dominated PLC is unlikely to enact the legislation. There is a draft law that would change the Palestinian election system to a 100% proportional representation system in a single, national district. He noted that if passed, this new electoral law would likely delay elections, but would also mean an easier system to manage.

Voter Registration and Participation

¶5. (C) Per reftel, the CEC had intended to update its voter registration lists in January. Kuhail said that exercise will be suspended, since neither the public nor Hamas will believe the registration is an apolitical activity. He said they will instead link the registration to the call for early elections and assign political motives to the CEC.

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¶6. (C) Kuhail said he anticipates "very low" voter turn out in the case of early elections. He said many people are frustrated with Fatah and the political picture and do not feel secure, so will not go to the polls. Kuhail said many of the votes for Hamas in the January 2006 PLC elections were protest votes, and that voters in early elections now would likely protest both Fatah and Hamas and, therefore, not vote.

IFES: Similar Views

¶7. (C) In a December 19 meeting, IFES representative Richard Atwood echoed some of Kuhail's points. He said he thought it would be impossible to hold elections without Hamas agreement, because the Ministries of Education and Interior would not make their facilities or personnel available, and because there would likely be a high level of violence. Atwood also thought voter turnout would be very low in the case of early elections and pointed to potential legitimacy problems that could entail.

DUFFY